

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

NOVI FOOTWEAR INTERNATIONAL CO.
LIMITED,

Plaintiff,

V.

EARTH OPCO LLC, WINDSONG CAPITAL
MANAGEMENT LLC, WILLIAM
SWEEDLER, AND WINGSONG GLOBAL
LLC

Defendants,

SECOND AVENUE CAPITAL PARTNERS
LLC,

Intervenor Defendant.

Civil Action No. 1:22-cv-10952-RGS

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff Novi Footwear International Co., Limited (“Novi”) and Intervenor Defendant Second Avenue Capital Partners LLC (“SACP”), pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), that all claims between Novi and SACP—i.e., SACP’s claims set forth in the Amended Intervenor Complaint, ECF No. 111—are dismissed with prejudice, with each party to bear its own attorneys’ fees, costs, and expenses, and waiving all rights of appeal.

DATED: March 7, 2023

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DATED: March 7, 2023

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system on March 7, 2023
and will be sent electronically to the registered participants as identified on the Notice of
Electronic Filing.

/s/ Jean-Paul Jaillet

Jean-Paul Jaillet (BBO#: 647299)